HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE

WRIT PETITION No.209 OF 2000

Between:

B. Karunakar

… Petitioner

AND

The Chairman/Managing Director,
Transmission Power Corporation Ltd., of A.P.,
Vidyutsowdha, Hyderabad and two others

… Respondents.

:: O R D E R ::

Counsel for the petitioner : Shri G. Alla Bakash

Counsel for the respondents : Shri Samineni Kishore

January 24, 2006

The petitioner, who possess the qualification of diploma in Mechanical Engineering and who worked as contract labour under K. Narasimha, Contractor to whom the works were awarded by the erstwhile Andhra Pradesh State Electricity Board (for short, the Board') has filed this petition for quashing communication dated 6-1-1999 vide which Superintending Engineer, Operation Circle, Anantapur rejected his candidature for appointment in terms of the policy contained in B.P.Ms.No.36, dated 18-5-1997.

A reading of the impugned communication shows that the petitioner was considered for the post of Sub-Engineer (Electrical), but was not selected because he does not possess the qualification of diploma in Electrical Engineering. His candidature could not be

considered for the post of Sub-Engineer (Mechanical), because no such post was available to be filled in terms of the policy contained in B.P.Ms.No.36 dated 18-5-1997. The other reason assigned by Superintending Engineer for not entertaining the candidature of the petitioner was that he was not on the rolls of the contractor as on 18-5-1997.

I have heard learned counsel for the parties. Although the second reason assigned by Superintending Engineer does not appear to be legally untenable, but having regard to the fact that no vacancy in the cadre of Sub-Engineer (Mechanical) was available for appointment of the petitioner and he does not possess the qualification prescribed for the post of Sub-Engineer (Electrical), relief in terms of the prayer made in the writ petition cannot be granted.

With the above observation, the writ petition is dismissed.

However, liberty is given to the petitioner to represent the competent authority for consideration of his case for appointment on any other post for which he may be qualified.

G.S.SINGHVI, C.J.

January 24, 2006.

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